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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 BGH HOLDINGS, LLC et al.,
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11 Plaintiff,

12 v.
13 DL EVANS BANK,
14 Defendant.

Case No. 2:18-CV-1408-RSL

ORDER GRANTING
DEFENDANT'S MOTION
FOR RELIEF FROM CASE
DEADLINES AND
DENYING PLAINTIFFS'
MOTION FOR RELIEF
FROM DISCOVERY
DEADLINE

This matter comes before the Court on defendant DL Evans Bank's ("the Bank") "Motion and Cross Motion for Relief from Case Deadlines," see Dkt. #61, and plaintiffs' "Motion for Relief from Discovery Completion Deadline for Taking Depositions." Dkt. #45. On November 21, 2018, the Court issued a minute order setting various deadlines. Dkt. #17. The Bank requests that the Court extend the discovery cutoff date, trial date, and all associated deadlines by 120 days. Dkt. #61 at 1. Plaintiffs request that the deadline for completing discovery be extended to June 28, 2019 for taking depositions. Dkt. #45 at 1.

"A schedule may be modified only for good cause and with the judge's consent." Fed. R. Civ. P. 16(b)(4). "Good cause" means that "the scheduling deadlines cannot be met despite the party's diligence." Paz v. City of Aberdeen, No. C13-5104 RJB, 2013 WL 6163016, at *2 (W.D. Wash. Nov. 25, 2013) (citing Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 607 (9th

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1 Cir. 1992)). "If the party seeking the modification was not diligent, the inquiry should end." Id.
2 (citing Millenkamp v. Davisco Foods Intern., Inc., 448 Fed. Appx. 720, 721 (9th Cir. 2011)).
3 The Court ruled on plaintiffs' "Motion to Strike Pleading" on June 14, 2019 and allowed the
4 Bank to add counterclaims and additional parties. Dkt. #71. The Bank states that it needs more
5 time to serve the newly-added parties, propound discovery, and file motions for summary
6 judgment. Dkt. #61 at 5. Plaintiffs did not respond to the Bank's motion. There is good cause for
7 modifying the case schedule order. Johnson, 975 F.2d at 609. The Court need not reach the
8 parties' contentions regarding their discovery disputes. See Dkts. #46, #58–59, #63, #65.

9 For all the foregoing reasons, the Bank's motion for relief from case deadlines, Dkt. #61,
10 is GRANTED. The Court will issue an amended case schedule that extends all case deadlines.
11 Plaintiffs' motion for relief from discovery deadline, Dkt. #45, is DENIED AS MOOT.

12 DATED this 20th day of June, 2019.
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16 Robert S. Lasnik
17 United States District Judge
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MOTION FOR RELIEF FROM DISCOVERY DEADLINE - 2